

AS AMENDED

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 84-36 (AS AMENDED)

Introduced by Council President Hardwicke at the request of the County Executive  
 Legislative Day No. 84-16 Date May 22, 1984

AN ACT to repeal and re-enact with amendments Article III, heading, Historic District, of Chapter 25, heading, Zoning, of the Harford County Code, as amended; to provide for a restructured Historic District Commission; to provide detailed standards for Historic Districts; to provide a law which is in conformance with state historic preservation standards; to provide civil procedures for enforcement; and generally relating to historic preservation in Harford County.

By the Council, May 22, 1984

Introduced, read first time, ordered posted and public hearing scheduled

on: June 26, 1984

at: 7:00 P.M.

By Order: Angela Markowski, Secretary  
*ap*

## PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 26, 1984 and concluded on July 3, 1984.

Angela Markowski, Secretary  
*ap*

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 84-36

AS AMENDED

1 Section 1. Be It Enacted By The County Council of Harford  
2 County, Maryland, that Article III, heading, Historic Districts,  
3 of Chapter 25, heading, Zoning, be, and it is hereby repealed in  
4 its entirety and re-enacted with amendments, to read as follows:

5 Article III. Historic Districts.

6 Chapter 25. Zoning.

7 Section 25-51.1. Purposes.

8 (a) THE PURPOSE OF THIS ARTICLE IS TO PROVIDE HARFORD  
9 COUNTY WITH THE STANDARDS NECESSARY TO ALLOW THE PRESERVATION OF  
10 HISTORIC STRUCTURES AND SITES IN THE COUNTY.

11 (b) IT IS HEREBY DECLARED BY HARFORD COUNTY, MARYLAND,  
12 THAT IT IS THE PUBLIC POLICY THAT THE PROTECTION, ENHANCEMENT  
13 PERPETUATION, AND USE OF STRUCTURES AND SITES OF SPECIAL  
14 CHARACTER OR HISTORICAL INTEREST OR VALUE IS A PUBLIC NECESSITY  
15 AND IS REQUIRED IN THE INTEREST OF THE HEALTH, PROSPERITY,  
16 SAFETY, AND WELFARE OF THE PEOPLE. THE FURTHER PURPOSE OF THIS  
17 ARTICLE IS TO:

18 (1) EFFECT AND ACCOMPLISH THE PROTECTION,  
19 ENHANCEMENT, AND PERPETUATION OF SUCH IMPROVEMENTS AND OF  
20 DISTRICTS THAT REPRESENT OR REFLECT ELEMENTS OF THE COUNTY'S  
21 CULTURAL, SOCIAL, ECONOMIC, POLITICAL, AND ARCHITECTURAL  
22 HISTORY;

23 (2) SAFEGUARD THE COUNTY'S HISTORIC AND CULTURAL  
24 HERITAGE, AS EMBODIED AND REFLECTED IN SUCH LANDMARKS AND  
25 HISTORIC DISTRICTS;

26 (3) STABILIZE AND IMPROVE PROPERTY VALUE;

27 (4) FOSTER CIVIC PRIDE IN THE BEAUTY AND NOBLE  
28 ACCOMPLISHMENTS OF THE PAST;

29 (5) PROTECT AND ENHANCE THE COUNTY'S ATTRACTIONS  
30 TO RESIDENTS, TOURISTS, AND VISITORS AND SERVE AS A SUPPORT AND  
31 STIMULUS TO BUSINESS AND INDUSTRY;

1 (6) STRENGTHEN THE ECONOMY OF THE COUNTY;

2 (7) PROMOTE THE USE OF HISTORIC DISTRICTS AND

3 LANDMARKS FOR THE EDUCATION, PLEASURE, AND WELFARE OF THE PEOPLE  
4 OF THE COUNTY;

5 SECTION 25-51-2. POWER AND AUTHORITY.

6 (a) THIS ARTICLE IS ENACTED PURSUANT TO THE POWERS  
7 GRANTED CHARTER COUNTIES IN THE STATE OF MARYLAND BY ARTICLE 25A  
8 OF THE ANNOTATED CODE OF MARYLAND. THIS ARTICLE IS AN EXTENSION  
9 AND USE OF THE COUNTY'S POWER TO ENACT ZONING REGULATIONS  
10 GOVERNING THE USE OF LAND IN HARFORD COUNTY.

11 SECTION 25-51.3. HISTORIC PRESERVATION COMMISSION; COMPOSITION.

12 (a) THERE IS HEREBY CREATED A COUNTY COMMISSION KNOWN  
13 AS THE HISTORIC PRESERVATION COMMISSION.

14 (b) CHAIR; MEMBERS.

15 (1) THE COMMISSION SHALL CONSIST OF ELEVEN (11)  
16 CITIZENS INTERESTED AND ACTIVE IN HISTORIC PRESERVATION. THE  
17 MEMBERS SHALL BE APPOINTED BY THE COUNTY EXECUTIVE AND SHALL BE  
18 CONFIRMED BY THE COUNTY COUNCIL IN ACCORDANCE WITH THE CHARTER  
19 OF HARFORD COUNTY, MARYLAND. THE TERMS OF ALL THE MEMBERS SHALL  
20 BE COTERMINOUS WITH THE TERM OF THE COUNTY EXECUTIVE. THE CHAIR  
21 OF THE COMMISSION SHALL BE APPOINTED BY THE COUNTY EXECUTIVE. A  
22 CO-CHAIR AND SECRETARY SHALL BE SELECTED BY COMMISSION MEMBERS.

23 (c) COMPENSATION; MEETINGS; BUDGET; STAFF.

24 (1) THE MEMBERS OF THE COMMISSION SHALL SERVE  
25 WITHOUT COMPENSATION, BUT SHALL BE REIMBURSED FOR NECESSARY  
26 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

27 (2) THE COMMISSION SHALL MEET AT LEAST FOUR (4)  
28 TIMES A YEAR AND SHALL HOLD SPECIAL MEETINGS AT THE CALL OF THE  
29 CHAIR OR OF ANY SIX (6) MEMBERS OF THE COMMISSION. THE  
30 COMMISSION SHALL KEEP OFFICIAL RECORDS OF ITS RESOLUTIONS,  
31 PROCEEDINGS AND ACTIONS. SIX (6) MEMBERS SHALL CONSTITUTE A  
32 QUORUM.

1 (3) THE CHAIR OF THE COMMISSION SHALL ANNUALLY  
2 SUBMIT A REPORT OF THE COMMISSION'S ACTIVITIES TO THE COUNTY  
3 EXECUTIVE AND TO THE COUNTY COUNCIL. THE CHAIR SHALL ALSO  
4 SUBMIT, IN A MANNER DETERMINED BY THE COUNTY EXECUTIVE, AN  
5 ANNUAL OPERATING BUDGET IN ACCORDANCE WITH THE CHARTER.

6 (d) THE PRESERVATION COMMISSION SHALL HAVE THE  
7 FOLLOWING POWERS AND DUTIES:

8 (1) TO ADOPT ITS OWN PROCEDURAL REGULATIONS  
9 PURSUANT TO SECTION 807 OF THE CHARTER;

10 (2) TO CONDUCT AN ONGOING SURVEY TO IDENTIFY  
11 HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT PROPERTIES,  
12 STRUCTURES, AND AREAS THAT EXEMPLIFY THE CULTURAL, SOCIAL,  
13 ECONOMIC, POLITICAL, OR ARCHITECTURAL HISTORY OF THE NATION,  
14 STATE AND COUNTY;

15 (3) TO INVESTIGATE AND RECOMMEND TO THE  
16 DEPARTMENT OF PLANNING AND ZONING THE ADOPTION OF ORDINANCES  
17 DESIGNATING PROPERTIES OR STRUCTURES HAVING SPECIAL HISTORIC,  
18 COMMUNITY, OR ARCHITECTURAL VALUE AS "LANDMARKS;"

19 (4) TO INVESTIGATE AND RECOMMEND TO THE  
20 DEPARTMENT OF PLANNING AND ZONING THE ADOPTION OF ORDINANCES  
21 DESIGNATING AREAS AS HAVING SPECIAL HISTORIC, COMMUNITY, OR  
22 ARCHITECTURAL VALUE AS "HISTORIC DISTRICTS;"

23 (5) TO KEEP A REGISTER OF ALL PROPERTIES AND  
24 STRUCTURES THAT HAVE BEEN DESIGNATED AS LANDMARKS OR HISTORIC  
25 DISTRICTS, INCLUDING ALL INFORMATION REQUIRED FOR EACH  
26 DESIGNATION;

27 (6) TO DETERMINE AN APPROPRIATE SYSTEM OF  
28 MARKERS AND MAKE RECOMMENDATIONS FOR THE DESIGN AND IMPLEMENTA-  
29 TION OF SPECIFIC MARKINGS OF THE STREETS AND ROUTES LEADING FROM  
30 ONE LANDMARK OR HISTORIC DISTRICT TO ANOTHER;

1 (7) TO ADVISE AND ASSIST OWNERS OF LANDMARKS AND  
2 PROPERTY OR STRUCTURES WITHIN HISTORIC DISTRICTS ON PHYSICAL AND  
3 FINANCIAL ASPECTS OF PRESERVATION, RENOVATION, REHABILITATION,  
4 AND REUSE, AND ON PROCEDURES FOR INCLUSION ON THE NATIONAL  
5 REGISTER OF HISTORIC PLACES;

6 (8) TO NOMINATE LANDMARKS AND HISTORIC DISTRICTS  
7 TO THE NATIONAL REGISTER OF HISTORIC PLACES, AND TO REVIEW AND  
8 COMMENT ON ANY NATIONAL REGISTER NOMINATIONS SUBMITTED TO THE  
9 COMMISSION FOR REVIEW;

10 (9) TO INFORM AND EDUCATE THE CITIZENS OF  
11 HARFORD COUNTY CONCERNING THE HISTORIC AND ARCHITECTURAL  
12 HERITAGE OF THE COUNTY BY PUBLISHING APPROPRIATE MAPS,  
13 NEWSLETTERS, BROCHURES, AND PAMPHLETS, AND BY HOLDING PROGRAMS  
14 AND SEMINARS;

15 (10) TO HOLD PUBLIC HEARINGS AND TO REVIEW  
16 APPLICATIONS FOR CONSTRUCTION, ALTERATION, REMOVAL, OR  
17 DEMOLITION AFFECTING PROPOSED OR DESIGNATED LANDMARKS OR  
18 STRUCTURES WITHIN HISTORIC DISTRICTS AND ISSUE OR DENY  
19 CERTIFICATES OF APPROPRIATENESS FOR SUCH ACTIONS. APPLICANTS  
20 MAY BE REQUIRED TO SUBMIT PLANS, DRAWINGS, ELEVATIONS,  
21 SPECIFICATIONS, AND OTHER INFORMATION AS MAY BE NECESSARY TO  
22 MAKE DECISIONS;

23 (11) TO CONSIDER APPLICATIONS FOR CERTIFICATES  
24 OF ECONOMIC HARDSHIP THAT WOULD ALLOW THE PERFORMANCE OF WORK  
25 FOR WHICH A CERTIFICATE OF APPROPRIATENESS HAS BEEN DENIED;

26 (12) TO DESIGNATE SPECIFIC DESIGN GUIDELINES FOR  
27 THE ALTERATION, CONSTRUCTION, OR REMOVAL OF LANDMARKS OR  
28 PROPERTY AND STRUCTURES WITHIN HISTORIC DISTRICTS;

29 (13) TO REVIEW PROPOSED ZONING AMENDMENTS,  
30 APPLICATIONS FOR SPECIAL USE PERMITS, OR APPLICATIONS FOR ZONING  
31 VARIANCES THAT THE DIRECTOR OF PLANNING AND ZONING HAS  
32 DETERMINED MAY HAVE SOME EFFECT ON PROPOSED OR DESIGNATED

1 LANDMARKS AND HISTORIC DISTRICTS. THE DIRECTOR OF PLANNING AND  
2 ZONING SHALL SEND THE APPLICATIONS FOR SPECIAL USE OR ZONING  
3 VARIATIONS TO THE PRESERVATION COMMISSION FOR COMMENT PRIOR TO  
4 THE DATE OF A HEARING;

5 (14) TO CALL UPON STAFF MEMBERS OF THE  
6 DEPARTMENT OF PLANNING AND ZONING AS WELL AS OTHER EXPERTS FOR  
7 TECHNICAL ADVICE;

8 (15) TO CONFER RECOGNITION UPON THE OWNERS OF  
9 LANDMARKS OR PROPERTY OR STRUCTURES WITHIN HISTORIC DISTRICTS BY  
10 MEANS OF CERTIFICATES, PLAQUES, OR MARKERS;

11 (16) TO PERIODICALLY REVIEW THE HARFORD COUNTY  
12 ZONING CODE AND TO RECOMMEND TO THE DEPARTMENT OF PLANNING AND  
13 ZONING ANY AMENDMENTS APPROPRIATE FOR THE PROTECTION AND  
14 CONTINUED USE OF LANDMARKS OR PROPERTY AND STRUCTURES WITHIN  
15 HISTORIC DISTRICTS; AND

16 (17) TO UNDERTAKE ANY OTHER ACTION OR ACTIVITY  
17 NECESSARY OR APPROPRIATE TO THE IMPLEMENTATION OF ITS POWERS AND  
18 DUTIES OR TO IMPLEMENTATION OF THE PURPOSE OF THIS ACT.

19 (18) TO ACCEPT ANY GRANT, LOAN, OR AID IN ANY  
20 FORM FROM FEDERAL, STATE, OR PRIVATE SOURCES ON BEHALF OF THE  
21 COUNTY.

22 SECTION 25-51.4. SURVEYS.

23 THE COMMISSION SHALL CONDUCT SURVEYS IN THE COUNTY TO  
24 IDENTIFY NEIGHBORHOODS, AREAS, SITES, STRUCTURES, AND OBJECTS  
25 THAT HAVE HISTORIC, COMMUNITY, ARCHITECTURAL, OR AESTHETIC  
26 IMPORTANCE, INTEREST, OR VALUE. AS PART OF THE SURVEY, THE  
27 COMMISSION SHALL REVIEW AND EVALUATE ANY PRIOR SURVEYS AND  
28 STUDIES BY ANY UNIT OF GOVERNMENT OR PRIVATE ORGANIZATION AND  
29 COMPILE APPROPRIATE DESCRIPTIONS, FACTS, AND PHOTOGRAPHS. BEFORE  
30 THE COMMISSION SHALL ON ITS OWN INITIATIVE NOMINATE ANY LANDMARK  
31 FOR DESIGNATION, IT SHALL FIRST DEVELOP A PLAN AND SCHEDULE FOR  
32 COMPLETION OF A SURVEY OF THE COUNTY TO IDENTIFY POTENTIAL

1 LANDMARKS. THE COMMISSION SHALL THEN SYSTEMATICALLY IDENTIFY  
2 POTENTIAL LANDMARKS AND ADOPT PROCEDURES TO NOMINATE THEM BASED  
3 UPON THE FOLLOWING CRITERIA:

4 (1) THE POTENTIAL LANDMARKS IN ONE IDENTIFIABLE  
5 NEIGHBORHOOD OR DISTINCT GEOGRAPHICAL AREA OF THE COUNTY;

6 (2) THE POTENTIAL LANDMARKS ASSOCIATED WITH A  
7 PARTICULAR PERSON, EVENT, OR HISTORICAL PERIOD;

8 (3) THE POTENTIAL LANDMARKS OF A PARTICULAR  
9 ARCHITECTURAL STYLE OR SCHOOL, OR OF A PARTICULAR ARCHITECT,  
10 ENGINEER, BUILDER, DESIGNER, OR CRAFTSMAN;

11 (4) SUCH OTHER CRITERIA AS MAY BE ADOPTED BY THE  
12 COMMISSION TO ASSURE SYSTEMATIC SURVEY AND NOMINATION OF ALL  
13 POTENTIAL LANDMARKS WITHIN THE COUNTY.

14 SECTION 25-51.5. NOMINATION OF LANDMARKS AND HISTORIC  
15 DISTRICTS.

16 NOMINATIONS SHALL BE MADE TO THE PRESERVATION  
17 COMMISSION AND MAY BE SUBMITTED BY A MEMBER OF THE COMMISSION,  
18 OWNER OF RECORD OF THE NOMINATED PROPERTY OR STRUCTURE, OR ANY  
19 OTHER PERSON OR ORGANIZATION.

20 SECTION 25-51.6. CRITERIA FOR CONSIDERATION OF NOMINATION.

21 (a) THE COMMISSION SHALL, UPON SUCH INVESTIGATION AS  
22 IT DEEMS NECESSARY, MAKE A DETERMINATION AS TO WHETHER A  
23 NOMINATED PROPERTY, STRUCTURE, OR AREA MEETS ONE OR MORE OF THE  
24 FOLLOWING CRITERIA:

25 (1) ITS CHARACTER, INTEREST, OR VALUE AS PART OF  
26 THE DEVELOPMENT, HERITAGE, OR CULTURAL CHARACTERISTICS OF THE  
27 COMMUNITY, COUNTY, STATE, OR COUNTRY;

28 (2) ITS LOCATION AS A SITE OF A SIGNIFICANT  
29 LOCAL, COUNTY, STATE, OR NATIONAL EVENT;

30 (3) ITS IDENTIFICATION WITH A PERSON OR PERSONS  
31 WHO SIGNIFICANTLY CONTRIBUTED TO THE DEVELOPMENT OF THE  
32 COMMUNITY, COUNTY, STATE, OR COUNTRY;

1 (4) ITS EMBODIMENT OF DISTINGUISHING CHARACTER-  
2 ISTICS OF AN ARCHITECTURAL STYLE VALUABLE FOR THE STUDY OF A  
3 PERIOD, TYPE, METHOD OF CONSTRUCTION, OR USE OF INDIGENOUS  
4 MATERIALS;

5 (5) ITS IDENTIFICATION AS THE WORK OF A MASTER  
6 BUILDER, DESIGNER, ARCHITECT, OR LANDSCAPE ARCHITECT WHOSE  
7 INDIVIDUAL WORK HAS INFLUENCED THE DEVELOPMENT OF THE COMMUNITY,  
8 COUNTY, STATE, OR COUNTRY;

9 (6) ITS EMBODIMENT OF ELEMENTS OF DESIGN,  
10 DETAILING, MATERIALS, OR CRAFTSMANSHIP THAT RENDER IT ARCHI-  
11 TECTURALLY SIGNIFICANT;

12 (7) ITS EMBODIMENT OF DESIGN ELEMENTS THAT MAKE  
13 IT STRUCTURALLY OR ARCHITECTURALLY INNOVATIVE;

14 (8) ITS UNIQUE LOCATION OR SINGULAR PHYSICAL  
15 CHARACTERISTICS THAT MAKE IT AN ESTABLISHED OR FAMILIAR VISUAL  
16 FEATURE;

17 (9) ITS CHARACTER AS A PARTICULARLY FINE OR  
18 UNIQUE EXAMPLE OF A UTILITARIAN STRUCTURE, WITH A HIGH LEVEL OF  
19 INTEGRITY OR ARCHITECTURAL SIGNIFICANCE; AND/OR

20 (10) ITS SUITABILITY FOR PRESERVATION OR  
21 RESTORATION;

22 (11) ITS SIGNIFICANCE AS AN ARCHEOLOGICAL SITE.

23 (b) ANY STRUCTURE, PROPERTY, OR AREA THAT MEETS ONE OR  
24 MORE OF THE ABOVE CRITERIA SHALL ALSO HAVE SUFFICIENT INTEGRITY  
25 OF LOCATION, DESIGN, MATERIALS, AND WORKMANSHIP TO MAKE IT  
26 WORTHY OF PRESERVATION OR RESTORATION.

27 SECTION 25-51.7. REPORT AND RECOMMENDATION OF PRESERVATION  
28 COMMISSION.

29 THE PRESERVATION COMMISSION SHALL, WITHIN FORTY-FIVE  
30 (45) DAYS FROM RECEIPT OF A COMPLETED NOMINATION IN PROPER FORM,  
31 DETERMINE THAT THE NOMINATED LANDMARK OR HISTORIC DISTRICT DOES  
32 OR DOES NOT MEET THE CRITERIA FOR DESIGNATION. THE DETERMINA-



1 TION SHALL BE ACCOMPANIED BY A REPORT TO THE DIRECTOR OF THE  
2 DEPARTMENT OF PLANNING AND ZONING CONTAINING THE FOLLOWING  
3 INFORMATION:

4 (a) EXPLANATION OF THE SIGNIFICANCE OR LACK OF  
5 SIGNIFICANCE OF THE NOMINATED LANDMARK OR HISTORIC DISTRICT AS  
6 IT RELATES TO THE CRITERIA FOR DESIGNATION.

7 (b) EXPLANATION OF THE INTEGRITY OR LACK OF  
8 INTEGRITY OF THE NOMINATED LANDMARK OR HISTORIC DISTRICT.

9 (c) IN THE CASE OF A NOMINATED LANDMARK FOUND TO  
10 MEET THE CRITERIA FOR DESIGNATION:

11 (1) THE SIGNIFICANT EXTERIOR ARCHITECTURAL  
12 FEATURES OF THE NOMINATED LANDMARK THAT SHOULD BE PROTECTED;

13 (2) THE TYPES OF CONSTRUCTION, ALTERATION,  
14 DEMOLITION, AND REMOVAL, OTHER THAN THOSE REQUIRING A BUILDING  
15 OR DEMOLITION PERMIT, THAT SHOULD BE REVIEWED FOR APPROPRIATE-  
16 NESS;

17 (3) IN THE CASE OF A NOMINATED HISTORIC  
18 DISTRICT FOUND TO MEET THE CRITERIA FOR DESIGNATION:

19 (i) THE TYPES OF SIGNIFICANT EXTERIOR  
20 ARCHITECTURAL FEATURES OF THE STRUCTURES WITHIN THE NOMINATED  
21 HISTORIC DISTRICT THAT SHOULD BE PROTECTED;

22 (ii) THE TYPES OF ALTERATIONS AND  
23 DEMOLITIONS THAT SHOULD BE REVIEWED FOR APPROPRIATENESS

24 (4) PROPOSED DESIGN GUIDELINES FOR APPLYING  
25 THE CRITERIA FOR REVIEW OF CERTIFICATES OF APPROPRIATENESS TO  
26 THE NOMINATED LANDMARK OR HISTORIC DISTRICT;

27 (5) THE RELATIONSHIP OF THE NOMINATED  
28 LANDMARK OR HISTORIC DISTRICT TO THE ONGOING EFFORT OF THE  
29 COMMISSION TO IDENTIFY AND NOMINATE ALL POTENTIAL AREAS AND  
30 STRUCTURES THAT MEET THE CRITERIA FOR DESIGNATION;  
31  
32

1 (5) ALL LANDMARKS, APPURTENANCES, AND  
2 ENVIRONMENTAL SETTINGS APPROPRIATE TO INSURE PRESERVATION OF  
3 CHARACTER AND HISTORICAL INTEGRITY.

4 (7) RECOMMENDATIONS AS TO APPROPRIATE  
5 PERMITTED USES, SPECIAL USES, HEIGHT AND AREA REGULATIONS,  
6 MINIMUM DWELLING SIZE, FLOOR AREA, SIGN REGULATIONS, AND PARKING  
7 REGULATIONS NECESSARY OR APPROPRIATE TO THE PRESERVATION OF THE  
8 NOMINATED LANDMARK OR HISTORIC DISTRICT;

9 (8) A MAP SHOWING THE LOCATION OF THE  
10 NOMINATED LANDMARK AND THE BOUNDARIES OF THE NOMINATED HISTORIC  
11 DISTRICT;

12 (d) THE RECOMMENDATIONS AND REPORT OF THE  
13 COMMISSION SHALL BE SENT TO THE DEPARTMENT OF PLANNING AND  
14 ZONING WITHIN SEVEN (7) DAYS FOLLOWING THE VOTE ON THE  
15 RESOLUTION AND SHALL BE AVAILABLE TO THE PUBLIC IN THE OFFICES  
16 OF THE COMMISSION.

17 SECTION 25-51.8. DESIGN GUIDELINES.

18 (a) DESIGN GUIDELINES FOR APPLYING THE CRITERIA FOR  
19 REVIEW OF CERTIFICATES OF APPROPRIATENESS SHALL ADHERE TO THE  
20 UNITED STATES SECRETARY OF THE INTERIOR STANDARDS FOR HISTORIC  
21 PRESERVATION PROJECTS.

22 SECTION 25-51.9. NOTIFICATION OF NOMINATION.

23 (a) IMMEDIATELY UPON COMPLETION OF THE NOMINATION OF A  
24 LANDMARK, THE COMMISSION SHALL INFORM THE OWNER OF THE PROPERTY  
25 BY REGISTERED MAIL OF THE NOMINATION. THE NOTICE SHALL INCLUDE  
26 COPIES OF THE PROPOSED NOMINATION, LEGISLATION, AND A FORM  
27 REQUESTING THE OWNER AND/OR OWNERS AGREEMENT TO THE NOMINATION.  
28 IF THE OWNER DOES NOT AGREE TO NOMINATION AND/OR DESIGNATION,  
29 ALL ACTION PERTAINING TO THE SITE SHALL CEASE.

30 (b) THE REPORT OF THE COMMISSION SHALL BE SENT TO THE  
31 DEPARTMENT OF PLANNING AND ZONING. THE DEPARTMENT OF PLANNING  
32 AND ZONING SHALL, WITHIN TWENTY (20) DAYS OF THE RECEIPT OF THE

1 COMMISSION'S REPORT, REQUEST THAT THE LAW DEPARTMENT PREPARE THE  
2 APPROPRIATE LEGISLATION. IN ADDITION TO THE REGULAR NOTICE THAT  
3 IS PROVIDED FOR ALL COUNTY LEGISLATION, THE FOLLOWING ADDITIONAL  
4 NOTICE SHALL BE GIVEN PRIOR TO THE DATE OF THE PUBLIC HEARING ON  
5 THE LEGISLATION.

6 (1) NOTICE OF THE DATE, TIME, PLACE, AND PURPOSE  
7 OF THE PUBLIC HEARING AND A COPY OF THE LEGISLATION SHALL BE  
8 SENT BY REGULAR MAIL TO THE OWNER(S) OF RECORD AND TO THE  
9 NOMINATORS, AS WELL AS TO PROPERTY OWNERS ADJOINING THE  
10 NOMINATED LANDMARK OR HISTORIC DISTRICT AT LEAST TEN (10) DAYS  
11 PRIOR TO THE DATE OF THE HEARING. NOTICE SHALL ALSO BE  
12 PUBLISHED IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE  
13 COUNTY. THE NOTICE SHALL STATE THE STREET ADDRESS AND LEGAL  
14 DESCRIPTION OF A NOMINATED LANDMARK AND THE BOUNDARIES OF A  
15 NOMINATED HISTORIC DISTRICT.

16 (c) UPON DESIGNATION, THE LANDMARK OR HISTORIC  
17 DISTRICT SHALL BE CLASSIFIED BY THE HISTORIC PRESERVATION  
18 COMMISSION AS A DISTRICT H - HISTORIC DISTRICT, AND THE  
19 DESIGNATING LAW SHALL DESCRIBE THE SIGNIFICANT EXTERIOR  
20 ARCHITECTURAL FEATURES; THE TYPES OF CONSTRUCTION, ALTERATION,  
21 DEMOLITION, AND REMOVAL, OTHER THAN THOSE REQUIRING A BUILDING  
22 OR DEMOLITION PERMIT THAT SHOULD BE REVIEWED FOR APPROPRIATE-  
23 NESS; THE DESIGN GUIDELINES FOR APPLYING THE CRITERIA FOR REVIEW  
24 OF APPROPRIATENESS; PERMITTED USES; SPECIAL USES; HEIGHT AND  
25 AREA REGULATIONS; MINIMUM DWELLING SIZE; FLOOR AREA; SIGN  
26 REGULATION; AND PARKING REGULATIONS. THE OFFICIAL ZONING MAP OF  
27 THE COUNTY SHALL BE AMENDED TO SHOW THE LOCATION OF THE DISTRICT  
28 H - HISTORIC DISTRICT OR LANDMARK.  
29 SECTION 25-51.10. INTERIM CONTROL.

30 NO BUILDING PERMIT SHALL BE ISSUED BY THE DEPARTMENT OF  
31 INSPECTIONS, LICENSES AND PERMITS FOR ALTERATION, CONSTRUCTION,  
32 DEMOLITION, OR REMOVAL OF A NOMINATED LANDMARK OR OF ANY

1 PROPERTY OR STRUCTURE WITHIN A NOMINATED HISTORIC DISTRICT FROM  
2 THE DATE OF MEETING OF THE COMMISSION AT WHICH A NOMINATION FORM  
3 IS FIRST PRESENTED, UNTIL THE FINAL DISPOSITION OF THE  
4 NOMINATION BY THE COUNTY COUNCIL, UNLESS SUCH ALTERATION,  
5 REMOVAL, OR DEMOLITION IS AUTHORIZED BY FORMAL RESOLUTION OF THE  
6 COUNTY COUNCIL AS NECESSARY FOR PUBLIC HEALTH, WELFARE, OR  
7 SAFETY. IN NO EVENT SHALL THE DELAY BE FOR MORE THAN NINETY  
8 (90) DAYS.

9 SECTION 25-51.11. AMENDMENT AND RECISSION OF A DESIGNATION.

10 A DESIGNATION MAY BE AMENDED OR RESCINDED UPON PETITION  
11 TO THE COMMISSION AND COMPLIANCE WITH THE SAME PROCEDURE AND  
12 ACCORDING TO THE SAME CRITERIA SET FORTH HEREIN FOR DESIGNATION.

13 SECTION 25-51.12. CERTIFICATE OF APPROPRIATENESS.

14 A CERTIFICATE OF APPROPRIATENESS SHALL BE REQUIRED FROM  
15 THE HISTORIC PRESERVATION COMMISSION BEFORE THE FOLLOWING  
16 ACTIONS AFFECTING THE EXTERIOR ARCHITECTURAL APPEARANCE OF ANY  
17 LANDMARK OR PROPERTY WITHIN A HISTORIC DISTRICT MAY BE  
18 UNDERTAKEN:

19 (1) ANY CONSTRUCTION, ALTERATION, OR REMOVAL REQUIRING  
20 A BUILDING PERMIT FROM THE DEPARTMENT OF INSPECTIONS, LICENSES  
21 AND PERMITS;

22 (2) ANY DEMOLITION IN WHOLE OR IN PART REQUIRING A  
23 PERMIT FROM THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS;

24 (3) ANY CONSTRUCTION, ALTERATION, DEMOLITION, OR  
25 REMOVAL AFFECTING A SIGNIFICANT EXTERIOR ARCHITECTURAL FEATURE  
26 AS SPECIFIED IN THE LAW DESIGNATING THE LANDMARK OR HISTORIC  
27 DISTRICT.

28 SECTION 25-51.13. APPLICATIONS FOR CERTIFICATES OF APPROPRIATE-  
29 NESS.

30 EVERY APPLICATION FOR A DEMOLITION PERMIT OR A BUILDING  
31 PERMIT, INCLUDING THE ACCOMPANYING PLANS AND SPECIFICATIONS,  
32 AFFECTING THE EXTERIOR ARCHITECTURAL APPEARANCE OF A DESIGNATED

1 LANDMARK OR OF A PROPERTY WITHIN A DESIGNATED HISTORIC DISTRICT,  
2 SHALL BE FORWARDED BY THE DEPARTMENT OF INSPECTIONS, LICENSES  
3 AND PERMITS TO THE COMMISSION WITHIN SEVEN (7) DAYS FOLLOWING  
4 RECEIPT OF THE APPLICATION. THE DEPARTMENT OF INSPECTIONS,  
5 LICENSES AND PERMITS SHALL NOT ISSUE THE BUILDING OR DEMOLITION  
6 PERMIT UNTIL A CERTIFICATE OF APPROPRIATENESS HAS BEEN ISSUED BY  
7 THE COMMISSION. ANY APPLICANT MAY REQUEST A MEETING WITH THE  
8 COMMISSION BEFORE THE APPLICATION IS SENT BY THE DEPARTMENT OF  
9 INSPECTIONS, LICENSES AND PERMITS TO THE COMMISSION OR DURING  
10 THE REVIEW OF THE APPLICATION. APPLICATION FOR REVIEW OF  
11 CONSTRUCTION, ALTERATION, DEMOLITION, OR REMOVAL NOT REQUIRING A  
12 BUILDING PERMIT FOR WHICH A CERTIFICATE OF APPROPRIATENESS IS  
13 REQUIRED SHALL BE MADE ON A FORM PREPARED BY THE COMMISSION AND  
14 AVAILABLE AT THE OFFICE OF THE COMMISSION. THE COMMISSION SHALL  
15 CONSIDER THE COMPLETED APPLICATION AT ITS NEXT REGULAR OR  
16 SPECIAL MEETING. A CERTIFICATE OF APPROPRIATENESS MAY BE ISSUED  
17 UPON THE SIGNATURE OF SIX (6) OF THE MEMBERS OF THE COMMISSION.  
18 SECTION 25-51.14. DETERMINATION BY THE COMMISSION.

19 THE COMMISSION SHALL REVIEW THE APPLICATION FOR A  
20 BUILDING OR DEMOLITION PERMIT OR FOR A CERTIFICATE OF APPROPRI-  
21 ATENESS AND ISSUE OR DENY THE CERTIFICATE OF APPROPRIATENESS  
22 WITHIN THIRTY (30) DAYS OF RECEIPT OF THE APPLICATION. WRITTEN  
23 NOTICE OF THE APPROVAL OR DENIAL OF THE APPLICATION FOR A  
24 CERTIFICATE OF APPROPRIATENESS SHALL BE PROVIDED THE APPLICANT  
25 AND THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS WITHIN  
26 SEVEN (7) DAYS FOLLOWING THE DETERMINATION AND SHALL BE  
27 ACCOMPANIED BY A CERTIFICATE OF APPROPRIATENESS IN THE CASE OF  
28 AN APPROVAL.

29 SECTION 25-51.15. DENIAL OF A CERTIFICATE OF APPROPRIATENESS.

30 A DENIAL OF A CERTIFICATE OF APPROPRIATENESS SHALL BE  
31 ACCOMPANIED BY A STATEMENT OF THE REASONS FOR THE DENIAL. THE  
32 COMMISSION SHALL MAKE RECOMMENDATIONS TO THE APPLICANT

1 CONCERNING CHANGES, IF ANY, IN THE PROPOSED ACTION THAT WOULD  
2 CAUSE THE COMMISSION TO RECONSIDER ITS DENIAL AND SHALL CONFER  
3 WITH THE APPLICANT AND ATTEMPT TO RESOLVE AS QUICKLY AS POSSIBLE  
4 THE DIFFERENCES BETWEEN THE OWNER AND THE COMMISSION. THE  
5 APPLICANT MAY RESUBMIT AN AMENDED APPLICATION OR REAPPLY FOR A  
6 BUILDING OR DEMOLITION PERMIT THAT TAKES INTO CONSIDERATION THE  
7 RECOMMENDATIONS OF THE COMMISSION.

8 SECTION 25-51.16. STANDARDS FOR REVIEW.

9 (a) IN CONSIDERING AN APPLICATION FOR A BUILDING OR  
10 DEMOLITION PERMIT OR FOR A CERTIFICATE OF APPROPRIATENESS, THE  
11 COMMISSION SHALL BE GUIDED BY THE UNITED STATES SECRETARY OF THE  
12 INTERIOR STANDARDS FOR HISTORIC PRESERVATION PROJECTS.

13 (1) EVERY REASONABLE EFFORT SHALL BE MADE TO  
14 PROVIDE A COMPATIBLE USE FOR A PROPERTY THAT REQUIRES MINIMAL  
15 ALTERATION OF THE BUILDING, STRUCTURE, OR SITE AND ITS  
16 ENVIRONMENT, OR TO USE A PROPERTY FOR ITS ORIGINALLY INTENDED  
17 PURPOSE.

18 (2) THE DISTINGUISHING ORIGINAL QUALITIES OR  
19 CHARACTER OF A BUILDING, STRUCTURE, OR SITE AND ITS ENVIRONMENT  
20 SHALL NOT BE DESTROYED. THE REMOVAL OR ALTERATION OF ANY  
21 HISTORIC MATERIAL OR DISTINCTIVE ARCHITECTURAL FEATURE SHOULD BE  
22 AVOIDED WHEN POSSIBLE.

23 (3) ALL BUILDINGS, STRUCTURES, AND SITES SHALL  
24 BE RECOGNIZED AS PRODUCTS OF THEIR OWN TIME. ALTERATIONS THAT  
25 HAVE NO HISTORICAL BASIS AND THAT SEEK TO CREATE AN EARLIER  
26 APPEARANCE SHALL BE DISCOURAGED.

27 (4) CHANGES THAT MAY HAVE TAKEN PLACE IN THE  
28 COURSE OF TIME ARE EVIDENCE OF THE HISTORY AND DEVELOPMENT OF A  
29 BUILDING, STRUCTURE, OR SITE AND ITS ENVIRONMENT. THESE CHANGES  
30 MAY HAVE ACQUIRED SIGNIFICANCE IN THEIR OWN RIGHT, AND THIS  
31 SIGNIFICANCE SHALL BE RECOGNIZED AND RESPECTED.  
32

1 (5) DISTINCTIVE STYLISTIC FEATURES OR EXAMPLES  
2 OF SKILLED CRAFTSMANSHIP THAT CHARACTERIZE A BUILDING,  
3 STRUCTURE, OR SITE SHALL BE TREATED WITH SENSITIVITY.

4 (6) DETERIORATED ARCHITECTURAL FEATURES SHALL BE  
5 REPAIRED RATHER THAN REPLACED, WHEREVER POSSIBLE. IN THE EVENT  
6 REPLACEMENT IS NECESSARY, THE NEW MATERIAL SHOULD MATCH THE  
7 MATERIAL BEING REPLACED IN COMPOSITION, DESIGN, COLOR, TEXTURE,  
8 AND OTHER VISUAL QUALITIES. REPAIR OR REPLACEMENT OF MISSING  
9 ARCHITECTURAL FEATURES SHOULD BE BASED ON ACCURATE DUPLICATION  
10 OF FEATURES, SUBSTANTIATED BY HISTORIC, PHYSICAL, OR PICTORIAL  
11 EVIDENCE, RATHER THAN ON CONJECTURAL DESIGNS OR THE AVAILABILITY  
12 OF DIFFERENT ARCHITECTURAL ELEMENTS FROM OTHER BUILDINGS OR  
13 STRUCTURES.

14 (7) THE SURFACE CLEANING OF STRUCTURES SHALL BE  
15 UNDERTAKEN WITH THE GENTLEST MEANS POSSIBLE. SANDBLASTING AND  
16 OTHER CLEANING METHODS THAT WILL DAMAGE THE HISTORIC BUILDING  
17 MATERIALS SHALL NOT BE UNDERTAKEN.

18 (8) EVERY REASONABLE EFFORT SHALL BE MADE TO  
19 PROTECT AND PRESERVE ARCHAEOLOGICAL RESOURCES AFFECTED BY, OR  
20 ADJACENT TO, ANY PROJECT.

21 SECTION 25-51.17. APPEALS.

22 A DETERMINATION BY THE COMMISSION THAT AN APPLICATION  
23 BE DENIED MAY BE APPEALED TO THE ZONING BOARD OF APPEALS IN THE  
24 SAME MANNER AND WITH THE SAME PROCEDURES THAT ARE UTILIZED IN A  
25 ZONING CASE. THE APPEAL MUST BE FILED WITH TWENTY (20) DAYS OF  
26 THE DATE OF THE WRITTEN NOTICE OF DENIAL BY THE COMMISSION. A  
27 FINAL DECISION BY THE ZONING BOARD OF APPEALS MAY BE APPEALED TO  
28 THE CIRCUIT COURT FOR HARFORD COUNTY.

29 SECTION 25-51.18. FEES AND PENALTIES.

30 (a) FEES REQUIRED FOR PROCESSING OF APPLICATIONS TO  
31 THE COMMISSION SHALL BE AS ESTABLISHED IN CHAPTER 13 OF THE  
32 HARFORD COUNTY CODE.

84-36

AS AMENDED

1 (c) THE COUNTY MAY PROCEED WITH APPROPRIATE CIVIL  
2 REMEDIES TO ENFORCE THIS ARTICLE, INCLUDING BUT NOT LIMITED TO,  
3 INJUNCTIVE RELIEF AND ACTIONS FOR DAMAGES.

4 Section 2. And Be It Further Enacted that this act shall take  
5 effect sixty (60) calendar days from the date it becomes law.

6 EFFECTIVE: September 11, 1984  
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84-36

AS AMENDED



84-36

BY THE COUNCIL

AS AMENDED

BILL NO. 84-36 (as amended)

Read the third time.

Passed LSD 84-23 (July 10, 1984) (with amendment)

Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary  
*ap*

Sealed with the County Seal and presented to the County Executive  
for his approval this 11th day of July, 1984  
at 3:00 o'clock P.M.

Angela Markowski, Secretary  
*ap*

BY THE EXECUTIVE

APPROVED:

[Signature]  
County Executive  
Date 7-13-84

BY THE COUNCIL

This Bill (No. 84-36, as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
July 13, 1984.

Angela Markowski, Secretary

EFFECTIVE DATE: September 11, 1984

84-36

AS AMENDED